REMARKS

Applicants respectfully contend that the finality of the office action mailed 12/14/2006 is improper under MPEP 706.07(a) which recites: "Under present practice, second or any subsequent actions on the merits shall be final, except where the examiner introduces a new ground of rejection that is neither necessitated by applicant's amendment of the claims nor based on information submitted in an information disclosure statement filed during the period set forth in 37 CFR 1.97(c)".

In particular, the Examiner has introduced a new ground of rejection to reject claim 2 as allegedly being unpatentable over Topff in view of Lim under 35 U.S.C. § 103(b), even though claim 2 has merely been rewritten in independent form and is otherwise the same claim 2 as was originally presented.

Therefore, Applicants respectfully request that the office action mailed 12/14/2006 be changed to a non-final office action and that the claim amendments included herein be entered.

The Examiner rejected claims 2, 5-6, 10-12 and 17-26 under 35 U.S.C. § 103(b) as allegedly being unpatentable by Topff *et al.* (U.S. Patent 6,026,500) in view of Lim *et al.*, (USPGPUB 2004/0210662).

Applicants respectfully traverse the § 103 rejections with the following arguments.

35 U.S.C. § 103(b)

The Examiner rejected claims 2, 5-6, 10-12 and 17-26 under 35 U.S.C. § 103(b) as

allegedly being unpatentable by Topff *et al.* (U.S. Patent 6,026,500) in view of Lim *et al.*,

(USPGPUB 2004/0210662).

Claim 2

Applicants respectfully contend that claim 2 is not unpatentable over Topff in view of

Lim, because Topff in view of Lim does not teach or suggest each and every feature of claim 2.

As a first example of why claim 2 is not unpatentable over Topff in view of Lim, Topff in

view of Lim does not teach or suggest the feature: "awaiting an occurrence of a trigger event

associated with a system resource ..., wherein the trigger event includes opening a trouble ticket."

The Examiner alleges that Topff, FIG. 2A and col. 6, line 62 - col. 7, line 5 discloses the

preceding feature of claim 5. More specifically in "Response to Arguments", the Examiner

argues: "Topff teaches at Fig.2a, element 610 monitor for event, which is corresponding to

awaiting an occurrence of a trigger event. As soon as the event detected (event trigger), Element

614 identifies whether it is the command of a trouble ticket, and then generates trouble ticket and

process the system resource. All the steps occurrence in the continuous sequence. Therefore,

Topff does teach of in automatic response to the occurrence of the trigger event, wherein the

trigger event includes a trouble ticket command, which is corresponding to the opening a trouble

ticket."

In response, Applicants preceding argument by the Examiner is not persuasive. The

Examiner alleges that the claimed trigger event "includes a trouble ticket command" which is a command to generate a trouble ticket. However, the trigger event, that includes a trouble ticket command to generate a trouble ticket, cannot include opening a trouble ticket. The trouble ticket does not exist (and therefore cannot be opened) until the command to generate the trouble ticket is executed in step 700. See Topff, col. 6, line 66 - col. 7, line 2 ("If action is desirable, a trouble ticket command is received at step 614. If automatic generation of a trouble ticket is commanded, at step 700 a trouble ticket is automatically generated").

Thus, Applicants have explained why it is logically impossible for Topff to implement awaiting an occurrence of a trigger event that includes opening a trouble ticket if the triggering event includes a trouble ticket command. Specifically, Topff does not teach awaiting for occurrence of an event that includes opening a trouble ticket as required by claim 2. Instead, Topff teaches awaiting for occurrence of an event that includes a trouble ticket command. The trouble ticket does not exist and therefore cannot be opened until the trouble ticket command is executed, and the trouble ticket command is executed in step 700 which occurs after "awaiting an occurrence of a trigger event" has been performed.

Therefore, Topff in view of Lim does not teach the preceding feature of claim 2.

As a second example of why claim 2 is not unpatentable over Topff in view of Lim, Topff in view of Lim does not teach or suggest the feature: "in automatic response to the occurrence of the trigger event, activating a prearranged user account that enables a service provider to access the system resource".

The Examiner argues: "Topff does not specifically disclose the activating the user

account, but Lim discloses that in automatic response to the occurrence of the trigger event, activating a prearranged user account that authenticates the service provider to access the system resource to enable the service provider to provide one or more services to the system resource (Lim, [0204], [0207], and [0217], in which the authorized SD to adopt the user's account for the trouble shooting to access the system resource) ... Because knowing that Lim's structure provides internet-enabled service management and authorization system via the network connection, it would have been obvious to use the internet based architecture in the device of Topff to improve the user accessibility."

In response, Applicant respectfully contend that the preceding argument by the Examiner is not persuasive, because Lim, Par. [0204], [0207], and [0217] does not teach "in automatic response to the occurrence of the trigger event, activating a prearranged user account that enables a service provider to access the system resource". Lim, Par. [0217] teaches a triggering event of "selection of a customer" and a response of "the user immediately adopts the identity of the selected customer" which is not a teaching of "activating a prearranged user account". Even though "selection of a customer" enables the SD application "to adopt identities of different customer accounts to trouble shoot problems with a particular customer", Lim, Par. [0027] does not teach "activating a prearranged user account". The preceding functionality of adopting an identity of a customer's account described in Lim, Par. [0217] merely makes the customer's account accessible to the SD application. There is no disclosure in Lim, Par. [0217] that the customer's account is not already activated at the time that the SD application assumes the customer's identity.

Furthermore, Lim, Par. [0217] does not teach that the triggering event of "selection of a

10/081,552   9

customer" results in enabling a service provider to access the system resource. The Examiner appears to be arguing that the customer's account represents the claimed system resource (since the triggering event is "selection of a customer" and the response to the occurrence of the "selection of a customer" is the "the user immediately adopts the identity of the selected customer" which the Examiner appears to be equating to "activating a prearranged user account "). Applicants assert, however, that the customer account is a customer resource (i.e., a resource of the customer) and not a system resource (i.e., a resource of the system).

In addition, Applicant respectfully contend that the Examiner's argument for modifying Topff to include the feature "in automatic response to the occurrence of the trigger event, activating a prearranged user account that enables a service provider to access the system resource" is not persuasive. Applicant's assert that the Examiner's reason for the modification of Topff, ("to use the internet based architecture in the device of Topff to improve the user accessibility") is unrelated to, and does not make it obvious to include in Topff the feature: "in automatic response to the occurrence of the trigger event, activating a prearranged user account that enables a service provider to access the system resource".

Therefore, Applicants respectfully contend that the Examiner has not established a *prima facie* case of obviousness in relation to claim 2.

Based on the preceding arguments, Applicants respectfully maintain that claim 2 is not unpatentable over Topff in view of Lim, and that claim 2 is in condition for allowance.

Claims 5-6, 10-12 and 17-26

Since claim 6 has been canceled, the rejection of claim 6 is moot.

Applicants respectfully contend that claim 5 is not unpatentable over Topff, because Topff does not teach or suggest each and every feature of claim 5.

As a first example of why claim 5 is not unpatentable over Topff in view of Lim, Topff in view of Lim does not teach or suggest the feature: "awaiting an occurrence of a trigger event associated with the system resource, wherein the trigger event comprises an opening of a trouble ticket".

The Examiner alleges that Topff, FIG. 2A and col. 6, line 62 - col. 7, line 5 discloses the preceding feature of claim 5. More specifically in "Response to Arguments", the Examiner argues: "Topff teaches at Fig.2a, element 610 monitor for event, which is corresponding to awaiting an occurrence of a trigger event. As soon as the event detected (event trigger), Element 614 identifies whether it is the command of a trouble ticket, and then generates trouble ticket and process the system resource. All the steps occurrence in the continuous sequence. Therefore, Topff does teach of in automatic response to the occurrence of the trigger event, wherein the trigger event includes a trouble ticket command, which is corresponding to the opening a trouble ticket."

In response, Applicants preceding argument by the Examiner is not persuasive. The Examiner alleges that the claimed trigger event "includes a trouble ticket command" which is a command to generate a trouble ticket. However, the trigger event, that includes a trouble ticket command to generate a trouble ticket, cannot include opening a trouble ticket. The trouble ticket

10/081,552   11

does not exist (and therefore cannot be opened) until the command to generate the trouble ticket

is executed in step 700. See Topff, col. 6, line 66 - col. 7, line 2 ("If action is desirable, a trouble

ticket command is received at step 614. If automatic generation of a trouble ticket is

commanded, at step 700 a trouble ticket is automatically generated").

Thus, Applicants have explained why it is logically impossible for Topff to implement

awaiting an occurrence of a trigger event that includes opening a trouble ticket if the triggering

event includes a trouble ticket command. Specifically, Topff does not teach awaiting for

occurrence of an event that includes opening a trouble ticket as required by claim 2. Instead,

Topff teaches awaiting for occurrence of an event that includes a trouble ticket command. The

trouble ticket does not exist and therefore cannot be opened until the trouble ticket command is

executed, and the trouble ticket command is executed in step 700 which occurs after "awaiting an

occurrence of a trigger event" has been performed.

Therefore, Topff in view of Lim does not teach or suggest the preceding feature of claim

5.

As a second example of why claim 5 is not unpatentable over Topff in view of Lim,

Topff in view of Lim does not teach or suggest the feature: "in automatic response to the

occurrence of the trigger event while the established user account is not activated, activating the

user account to authenticate the service provider to access the system resource to enable the

service provider to provide one or more services relating to the system resource".

The Examiner argues as follows that Lim discloses the preceding feature of claim 5: "in

automatic response to the occurrence of the trigger event, activating a prearranged user account

10/081,552   12

that authenticates the service provider to access the system resource to enable the service provider to provide one or more services to the system resource (Lim, [0204], [0207], and [0217], in which the authorized SD to adopt the user's account for the trouble shooting to access the system resource)".

In response, Applicant respectfully contend that the preceding argument by the Examiner is not persuasive, because Lim, Par. [0204], [0207], and [0217] does not teach "in automatic response to the occurrence of the trigger event while the established user account is not activated, activating the user account to authenticate the service provider to access the system resource to enable the service provider to provide one or more services relating to the system resource". Lim, Par. [0217] teaches a triggering event of "selection of a customer" and a response of "the user immediately adopts the identity of the selected customer" which is not a teaching of "activating the user account". Even though "selection of a customer" enables the SD application "to adopt identities of different customer accounts to trouble shoot problems with a particular customer", Lim, Par. [0027] does not teach "activating the user account". The preceding functionality of adopting an identity of a customer's account described in Lim, Par. [0217] merely makes the customer's account accessible to the SD application. There is no disclosure in Lim, Par. [0217] that the customer's account is not already activated at the time that the SD application assumes the customer's identity.

Furthermore, Lim, Par. [0217] does not teach that the triggering event of "selection of a customer" results in enabling a service provider to access the system resource. The Examiner appears to be arguing that the customer's account represents the claimed system resource (since the triggering event is "selection of a customer" and the response to the occurrence of the

"selection of a customer" is the "the user immediately adopts the identity of the selected customer" which the Examiner is equating to "activating the user account "). Applicants assert, however, that the customer account is a customer resource (i.e., a resource of the customer) and not a system resource (i.e., a resource of the system).

In addition, the Examiner does not provide an argument as to why it is allegedly obvious to modify Topff by inclusion of the preceding feature of claim 5. However, in relation to claim 2, the Examiner argues: "Because knowing that Lim's structure provides internet-enabled service management and authorization system via the network connection, it would have been obvious to use the internet based architecture in the device of Topff to improve the user accessibility."

In response, Applicant respectfully contend that the Examiner's argument for modifying Topff to include the feature "in automatic response to the occurrence of the trigger event, activating a prearranged user account that authenticates the service provider to access the system resource to enable the service provider to provide one or more services relating to the system resource". Applicant's assert that the Examiner's reason for the modification of Topff, ("to use the internet based architecture in the device of Topff to improve the user accessibility") is unrelated to, and does make it obvious to include in Topff the feature: "in automatic response to the occurrence of the trigger event while the established user account is not activated, activating the user account to authenticate the service provider to access the system resource to enable the service provider to provide one or more services relating to the system resource".

Therefore, Applicants respectfully contend that the Examiner has not established a *prima facie* case of obviousness in relation to the preceding feature of claim 5.

As a third example of why claim 5 is not unpatentable over Topff in view of Lim, Topff in view of Lim does not teach or suggest the feature: "establishing a prearranged user account, wherein subsequent activation of the established user account enables a service provider to use access control logic to access a system resource through the user account, and wherein the access control logic attempts to block access to the user account when the user account is not activated".

As a fourth example of why claim 5 is not unpatentable over Topff in view of Lim, Topff in view of Lim does not teach or suggest the feature: "following said activating and while the user account remains activated, awaiting an occurrence of a closure event associated with the trigger event; and in automatic response to the occurrence of the closure event, deactivating the prearranged user account to dormancy such that use of the prearranged user account is blocked".

The Examiner has not even addressed the feature of "deactivating the prearranged user account to dormancy such that use of the prearranged user account is blocked".

Based on the preceding arguments, Applicants respectfully maintain that claim 5 is not unpatentable over Topff in view of Lim, and that claim 5 is in condition for allowance. Since claims 10-12 and 17-26 depend from claim 5, Applicants contend that claims 10-12 and 17-26 are likewise in condition for allowance.

In addition with respect to claim 10, Topff in view of Lim does not teach or suggest the feature: "wherein the closure event includes satisfaction of a temporal condition".

The Examiner argues: "Regarding claim 10, Topff discloses the method of claim 5,

wherein the closure event includes satisfaction of a temporal condition (Topff, col.8, 1.42-52, event information is provided to help application program, and fig. 2c, the element 1000 monitoring the processing then transfer the status information to rules engine for analysis which is corresponding to the satisfaction of the service condition) ."

In response, Applicants respectfully contend that the preceding argument by the Examiner is not persuasive, at least because the Examiner's argument fails to demonstrate that satisfaction of the temporal condition is comprised by a closure event associated with the trigger event that includes opening a trouble ticket, as required by claim 10.

Therefore, Applicants respectfully contend that the Examiner has not established a *prima facie* case of obviousness in relation to claim 10.

In addition with respect to claim 11, Topff in view of Lim does not teach or suggest the feature: "wherein the closure event includes satisfaction of a temporal condition ... wherein the temporal condition includes expiration of a predetermined interval of time".

The Examiner argues: "Regarding claim 11, Topff discloses the method of claim 10, wherein the temporal condition includes expiration of a predetermined interval of time (Topff, col.3,1.47)."

In response, Applicants respectfully contend that the preceding argument by the Examiner is not persuasive, because Topff, col.3, line 47 does not disclose a temporal condition including expiration of a predetermined interval of time, subject to satisfaction of the temporal condition being comprised by a closure event associated with the trigger event that includes opening a trouble ticket, as required by claim 11.

Therefore, Applicants respectfully contend that the Examiner has not established a *prima facie* case of obviousness in relation to claim 11.

In addition with respect to claim 12, Topff in view of Lim does not teach or suggest the feature: "wherein the closure event includes satisfaction of a temporal condition ... wherein the temporal condition includes arrival of a predetermined time".

The Examiner argues: "Regarding claim 12, Topff discloses the method of claim 10, wherein the temporal condition includes arrival of a predetermined time (Topff, col.3, l.47)."

In response, Applicants respectfully contend that the preceding argument by the Examiner is not persuasive, because Topff, col.3, line 47 does not disclose a temporal condition including arrival of a predetermined time, subject to satisfaction of the temporal condition being comprised by a closure event associated with the trigger event that includes opening a trouble ticket, as required by claim 12.

Therefore, Applicants respectfully contend that the Examiner has not established a *prima facie* case of obviousness in relation to claim 12.

In addition with respect to claim 19, Topff in view of Lim does not teach or suggest the feature: "wherein said transferring is implemented by e-mail or through the World Wide Web".

The Examiner argues: "Regarding claim 19, Lim discloses the method of claim 18, wherein said transferring is implemented by e-mail or through World Wide Web (Lim, [0030])."

In response, Applicants respectfully contend that the preceding argument by the Examiner is not persuasive, because Lim, Par. [0030] does not disclose implementation, via e-

mail or World Wide Web, of transferring to the service provider information relevant to the problem, as required by claim 19.

Therefore, Applicants respectfully contend that the Examiner has not established a *prima facie* case of obviousness in relation to claim 19.

In addition with respect to claim 20, Topff in view of Lim does not teach or suggest the feature: "wherein the trouble ticket characterizes a severity of the problem as low, medium, or high".

The Examiner argues: "Regarding claim 20, Topff discloses the method of claim 6, wherein the trouble ticket characterizes a severity of the problems as low, medium, or high (Topff, col.6, l.53, col.13, table 3-cont., the severity is a variable of value and it could be low, medium and high)."

In response, Applicants respectfully contend that the preceding argument by the Examiner is not persuasive, because Topff, col.6, line.53 and col.13, Table 3 does not disclose that "the trouble ticket characterizes a severity of the problem as low, medium, or high". The allegation by the Examiner that "the severity is a variable of value and it could be low, medium and high" is not disclosed in Topff.

Therefore, Applicants respectfully contend that the Examiner has not established a *prima facie* case of obviousness in relation to claim 20.

In addition with respect to claim 21, Topff in view of Lim does not teach or suggest the feature: "wherein the closure event includes a reduction of the severity of the problem

characterized by the trouble ticket".

The Examiner argues: "Regarding claim 21, Topff discloses the method of claim 20, wherein the closure event includes a reduction of the severity of the problem characterized by the trouble ticket (Topff, col.5, l.35-38, the status of efforts to resolve the non-conformance corresponding to the reduction of severity of the problem)."

In response, Applicants respectfully contend that the preceding argument by the Examiner is not persuasive, because Topff, col.5, lines 35-38 does not discuss the closure event.

Therefore, Applicants respectfully contend that the Examiner has not established a *prima facie* case of obviousness in relation to claim 21.

In addition with respect to claim 22, Topff in view of Lim does not teach or suggest the feature: "wherein the reduction of the severity of the problem includes an installation of a short-term patch".

The Examiner argues: "Regarding claim 22, Topff discloses the method of claim 21, wherein the reduction of the severity of the problem includes an installation of a short-term patch (Topff, col.5, l.35-40, in which the useful in resolving computer system problem corresponding to the short term patch)."

In response, Applicants respectfully contend that the preceding argument by the Examiner is not persuasive, because Topff, col. 5, lines 35-40 does not disclose that the reduction of the severity of the problem includes an installation of a short-term patch, as required by claim 22.

Therefore, Applicants respectfully contend that the Examiner has not established a *prima*

facie case of obviousness in relation to claim 22.

In addition with respect to claim 23, Topff in view of Lim does not teach or suggest the feature: "wherein the method further comprises establishing the prearranged user account by recording provisions of said account on a database".

The Examiner argues: "Regarding claim 23, Lim discloses the method of claim 5, wherein the method further comprises establishing the prearranged user account by recording provision of said account on a database (Lim, [0138])."

In response, Applicants respectfully contend that the preceding argument by the Examiner is not persuasive, because the Examiner has not provided any argument as to why it is allegedly obvious to modify Topff by incorporation of the preceding feature of claim 23.

Therefore, Applicants respectfully contend that the Examiner has not established a *prima facie* case of obviousness in relation to claim 23.

In addition with respect to claim 24, Topff in view of Lim does not teach or suggest the feature: "wherein the one or more services are selected from the group consisting of repair of the system resource, maintenance of the system resource, performance tracking of the system resource, security management of the system resource, change management of the system resource, and combinations thereof".

The Examiner argues: "Regarding claim 24, Lim discloses the method of claim 5, wherein the one or more services are selected from the group consisting of repair of the system resource, maintenance of the system resource, performance tracking of the system resource,

security management of the system resource, change management of the system resource, and combination thereof (Lim, [0055], and [0125])."

In response, Applicants respectfully contend that the preceding argument by the Examiner is not persuasive, because Lim, Pars. [0055] and [0125] does not teach or suggest the preceding feature of claim 24 and also because the Examiner has not provided any argument as to why it is allegedly obvious to modify Topff by incorporation of the preceding feature of claim 24.

Therefore, Applicants respectfully contend that the Examiner has not established a *prima facie* case of obviousness in relation to claim 24.

In addition with respect to claim 26, Topff in view of Lim does not teach or suggest the feature: "wherein the system resource comprises computer-controlled industrial machinery".

The Examiner argues: "Regarding claim 26, Lim discloses the method of claim 5, wherein the system resource comprises computer-controlled industrial machinery (Lim, Fig. 2)."
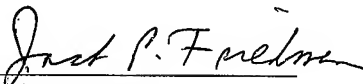
In response, Applicants respectfully contend that the preceding argument by the Examiner is not persuasive, because Lim FIG. 2 does not disclose that the system resource comprises computer-controlled industrial machinery.

Therefore, Applicants respectfully contend that the Examiner has not established a *prima facie* case of obviousness in relation to claim 26.

CONCLUSION

Based on the preceding arguments, Applicants respectfully believe that all pending claims and the entire application meet the acceptance criteria for allowance and therefore request favorable action. If the Examiner believes that anything further would be helpful to place the application in better condition for allowance, Applicants invites the Examiner to contact Applicants' representative at the telephone number listed below. The Director is hereby authorized to charge and/or credit Deposit Account 09-0457.

Date: 2/12/2007

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